
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

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| TRACY E. HOLDER, |) | |
| |) | |
| Plaintiff, |) | |
| VS. |) | |
| |) | |
| SMITH COUNTY, TENNESSEE, and the SMITH COUNTY SHERIFF'S DEPARTMENT, |) | |
| |) | |
| Defendant. |) | |

PLAINTIFFS' ORIGINAL COMPLAINT

COMES NOW THE PLAINTIFF, by and through counsel, and for her Complaint in this matter, respectfully states unto this Honorable Court as follows:

1. This is primarily an action seeking damages, injunctive relief and attorneys' fees under Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000, et seq.). The jurisdiction of this Court is invoked to secure protection of and redress deprivation of rights guaranteed by federal law. Plaintiff timely filed a complaint with the Equal Employment Opportunity Commission and the Tennessee Human Rights Commission and has met all administrative prerequisites for the bringing of this action (copies of pertinent administrative documents are filed herewith as Exhibit One). At all times pertinent hereto, Title VII of the Civil Rights Act of 1964 and the Tennessee Human Rights

Act, T.C.A. § 4-21-101 et seq, had full force and effect against all Defendants.

2. Plaintiff Tracey E. Holder is an adult female individual citizen of the United States currently residing in Smith County, Tennessee.
3. Defendant Smith County, Tennessee is a governmental entity charged with providing governmental and ministerial services to the citizens of Smith County, Tennessee, including but not limited to law enforcement. Smith County employs, upon information and belief, approximately two hundred (200) individuals.
4. Defendant Smith County Sheriff's Department (hereinafter referred to as "SCSD") is a governmental entity charged with the responsibility of law enforcement within the boundaries of Smith County, Tennessee.
5. At all times material hereto, Plaintiff was employed with the Smith County Sheriff's Department.
6. Smith County is legally responsible for all liability incurred by actions of the Smith County Sheriff's Department and its employees, including but not limited to employment discrimination and harassment on the bases of gender.
7. During the course of her employment with the SCSD, Plaintiff has been subjected to a hostile work environment with pervasive sexual harassment and discussion of sexual activities in the workplace.
8. During the course of her employment with the SCSD, Plaintiff has been subjected to direct harassment from a supervisor which was well known to the Chief Deputy.

9. During the course of her employment with the SCSD, the former Sheriff, Ronnie Lankford maintained and encouraged an environment that was offensive and hostile to women due to both institutional discrimination on the basis of gender and direct sexual harassment of females by males.
10. During the course of her employment with the SCSD, Plaintiff has been denied training and work opportunities provided to male employees which has placed her at a professional and competitive disadvantage for professional advancement and income earning opportunities.
11. During the course of her employment with the SCSD, Plaintiff has been subjected to near constant discussion of sex and sexual acts by certain male employees of the SCSD which was not discouraged by supervisors and became progressively more graphic and offensive.
12. Within the SCSD, there was no posted policy or general policy handbook regarding sexual harassment and gender discrimination.
13. During the course of her employment with the SCSD, Plaintiff was repeatedly excluded from participation in drug round ups and other dangerous law enforcement activities. When Plaintiff questioned the Sheriff about her repeated exclusion, she was informed that she would not be participating in drug roundups because she "is a mama".
14. The sexually offensive and hostile work environment was completely pervasive within the SCSD and commonly included actions such as the acquisition and circulation of nude or semi nude photographs of female inmates.

15. Former Sheriff Lankford ran the SCSD as a dictatorship with complete disregard for any policies or procedures not of his own making and Plaintiff was in fear for her job and livelihood.
16. Defendant Smith County and the SCSD violated Title VII of the Civil Rights Act of 1964, as amended, and the Tennessee Human Rights Act by failing to properly educate its management and supervisors regarding a policy forbidding gender discrimination, sexual harassment and/or the creation of a sexually hostile work environment.
17. Defendant Smith County and the SCSD violated Title VII of the Civil Rights Act of 1964, as amended, and the Tennessee Human Rights Act by failing to implement and follow a policy forbidding sexual harassment and/or the creation of a sexually hostile work environment.
18. Smith County and the SCSD, through the actions of Sheriff Ronnie Lankford, his Chief Deputy and other supervisors fostered an environment of harassment and hostility toward women in the workplace.
19. Defendant Smith County and the SCSD violated Title VII of the Civil Rights Act of 1964, as amended, and the Tennessee Human Rights Act by failing to properly disseminate information in a manner calculated to make all employees of the SCSD readily aware of precise steps to take when an employee is confronted with harassing behavior and/or a hostile work environment.
20. As a direct and proximate result of Defendants' actions and the actions of Defendant's agents, employees and individuals charged with implementing

and enforcing policies protecting the general and civil rights of persons such as Plaintiff to be free from workplace discrimination and harassment based upon gender and other protected classes, Plaintiff has suffered and will continue to suffer pain and suffering, and extreme and severe mental anguish and emotional distress. Plaintiff has also suffered economically due to a lack of promotional and advancement opportunities and is entitled to general and compensatory damages in amount to be proven at trial.

WHEREFORE, having herein stated their Complaints against all Defendants, Plaintiff respectfully prays unto this Honorable Court for the following relief:

- (A) That this case be advanced case upon the docket;
- (B) That this Court order a hearing at the earliest practical date;
- (C) That Plaintiffs be granted liberal leave to amend their Complaint to conform with the proof as it develops in this matter;
- (D) That, at the conclusion of such hearing, Plaintiff be granted a permanent injunction enjoining each Defendant, its agents, successors, employees, and those acting in consort with any Defendant, from continuing to violate Plaintiff's civil rights;
- (E) That an order be issued requiring Defendant Smith provide Plaintiff training and opportunity equivalent to that she was denied due to the violations of her civil rights and/or a higher position to which she may be entitled by virtue of her qualifications;

- (F) That an order be issued granting Plaintiff back pay, pre-judgment interest, fringe benefits, and any other appropriate relief necessary to make Plaintiff whole and compensate her for civil rights violations perpetrated against her by Smith County, the SCSD, her supervisors and co-workers;
- (G) That an order be issued granting Plaintiff front pay, fringe benefits and any other compensation to which they may be entitled;
- (H) That an order be issued granting Plaintiffs the costs of this action, including reasonable attorneys' fees, and such other legal and equitable relief as this Court deems just and proper;
- (I) That Defendants Smith County and the SCSD jointly and severally, be ordered to pay reasonable damages for the sexual harassment and gender discrimination directed toward Plaintiff and women in general.
- (J) That each Defendant be ordered to pay Plaintiff appropriate other compensatory and punitive damages to which they may be entitled; and
- (K) Any other relief to which either Plaintiff may be entitled either in equity or pursuant to state or federal law.

Respectfully Submitted:

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